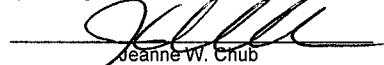


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling et al.
Serial No.: 10/045,604
Confirmation No.: 3464
Filed: October 23, 2001
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT
Examiner: Minh D. A
Art Unit: 2821

Certificate of Electronic Filing Under 37 CFR 1.8
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: July 28, 2008


Jeanne W. Chub

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed June 30, 2008, Applicants respectfully request reconsideration based on the following remarks.


The Office Communication noted that Applicants have suggested an interference pursuant to 37 CFR §41.202(a) in a communication filed October 16, 2006. In a subsequent paper filed on February 28, 2008, Applicants provided all of the information required under 37 CFR §§41.202(a)(1) through (a)(6).

The present Office Communication alleges that Applicants have failed to (1) identify all claims the Applicants believe interfere, and/or (2) propose one or more counts, and/or (3) show how the claims correspond to one or more counts. The present Office Communication further alleges that Applicants have failed to provide a claim chart showing the written description for each claim in the Applicants' specification. Applicants respectfully disagree. Again, all the information required under 37 CFR §§41.202(a)(1) through (a)(6) has been fully provided in Applicants' prior

communication dated February 28, 2008. In particular, in Applicants' February 28, 2008 communication to the Patent Office, each of the requirements for suggesting an interference in the order set forth in 37 CFR §41.202(a) was clearly met, under respective headings indicating each subsection of 37 CFR §41.202(a).

Applicants' undersigned representative discussed the present Office Communication dated June 30, 2008 with both Examiner Minh A and Supervisory Examiner Douglas Owens in telephone conferences with the examiners on July 18, 2008 and July 23, 2008, respectively. During these telephone conferences, Applicants' undersigned representative explained to the examiners that all of the information required under 37 CFR §41.202(a) was believed to have been previously provided in Applicants' February 28, 2008 communication, and that it was unclear from the face of the present Office Communication what further information might be required. Examiner Owens acknowledged Applicants' February 28, 2008 communication as indeed appearing to provide all of the required information, and recommended that Applicants file a paper in response to the June 30, 2008 Office Communication to indicate same, so as to be responsive within the indicated time frame.

If the examiner and/or interference practice specialist have any questions regarding this paper or Applicants' paper filed February 28, 2008, they are invited and encouraged to contact the undersigned at the number listed below. No fees are believed to be required in connection with this paper. However, if there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account 23/2825.

Dated: July , 2008

Respectfully submitted,

By 

Joseph Teja, Jr.

Registration No.: 45,157

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000